



***Town of Tyngsborough  
Planning Board***  
25 Bryants Lane,  
Tyngsborough, Massachusetts 01879-1003  
Office: (978) 649-2300 ext 115

Tyngsborough Planning Board meeting Minutes April 20, 2006

Attachments:

1- Meeting Agenda

**Approved**

Members Present: Darryl Wickens, Chairman  
Caryn DeCarteret, Vice Chairman  
Steve Nocco, Treasurer  
John Forti, NMCOG Liaison  
Joyce Harrington, Clerk  
John Boardman, Consulting Engineer

Members Absent: Mark Pease, Secretary

Meeting Purpose: To take action on agenda items (see attached agenda) and any other business brought before the Board.

**7:00PM** – Meeting called to order by Chairman, D.Wickens

**7:05PM** – Zoning Change for 7 Farwell Road, presented by Attorney Peter Nicosia.

D.Wickens read the Legal Notice that appeared in the Lowell Sun on April 5 and April 12, 2006.

**Motion: C.DeCarteret** to waive the reading of the abutter's list

**Second: S.Nocco**

**Carries 4-Yes, 1-Absent**

The applicant seeks to change the zoning classification for the property at 7 Farwell Road from 1 (R-1) and Business 2 (B-2) to Residential 1 (R-1).

**Motion: C.DeCarteret** to close the public portion of the Hearing

**Second: S.Nocco**

**Carries 4-Yes, 1-Absent**

**Motion: S.Nocco** to recommend the Zoning Classification change from R-1 and B-2 to R-1 to the Town Meeting as written.

**Second: J.Forti**

**Carries 4-Yes, 1-Absent**

**Administrative 1 Steve Auger – 378 Middlesex Road D.C.U. Revised Plans**

Mr. Auger came in front of the Board with revised plans of the new location of the fire hydrant. The Board reviewed the hydrant location. The Board requested Mr. Auger to submit a letter to Fire Chief Madden; if the new location meets his approval the Board would like a letter for their files. And the Board will sign the plans at the next Planning Board meeting.

John Boardman will review the revised plans.

**Administrative 3 Approval of Minutes**

The Board did not sign the minutes.

**7:35PM – Zoning Change for 9 Farwell Road, presented by Attorney Peter Nicosia.**

D.Wickens read the Legal Notice that appeared in the Lowell Sun on April 5 and April 12, 2006.

**Motion: C.DeCarteret** to waive the reading of the abutter's list

**Second: S.Nocco**

**Carries 4-Yes, 1-Absent**

The applicant seeks to change the zoning classification for the property at 9 Farwell Road from 1 (R-1) and Business 2 (B-2) to Residential 1 (R-1).

**Motion: C.DeCarteret** to close the Public portion of the Hearing

**Second: S.Nocco**

**Carries 4-Yes, 1-Absent**

**Motion: S.Nocco** to recommend the Zoning classification change from R-1 and B-2 to R-1 to the Town Meeting as written.

**Second: J.Forti**

**Carries 4-Yes, 1-Absent**

**Administrative 4 Bills**

The Board signed the following Bills

1. Lowell Sun
2. David E.Ross
3. Close 53G Account for 103 Clover Hill Road T.I.L.Q.

**8:05PM – Zoning Change for 440 Middlesex Road, presented by Attorney Peter Nicosia.**

**Motion: C.DeCarteret** to waive the reading of the Legal Notice

**Second: S.Nocco**

**Carries** 4-Yes, 1 -Absent.

**Motion: C.DeCarteret** to waive the reading of the abutter's list

**Second: S.Nocco**

**Carries** 4-Yes, 1-Absent

The applicant seeks to change the zoning classification for the property at 440 Middlesex Road from Business 3 (B-3) and Industrial 1 (I-1) to Business 3 (B-3)

**Motion: C.DeCarteret** to close the Public portion of the Hearing

**Second: S.Nocco**

**Carries 4-Yes, 1-Absent**

**Motion: S.Nocco** to recommend the Zoning classification change from B-3 and I-1 to B-3 to the Town Meeting as written.

**Second: J.Forti**

**Carries** 4-Yes, 1-Absent

**Administrative 2 – Bond Reductions for Scott Connell – “Beaver Run North” and “Deer Ridge Estates”**

Bond Reduction Beaver Run North, Phase II (1350+ft)

**Motion: S.Nocco** to reduce the Bond by \$12,960.00 and set the new bond at \$247,977.00

**Second: J.Forti**

**Carries** 4-Yes, 1-Absent

Bond Reduction Beaver Run North, Phase I (500+ft)

**Motion: S.Nocco** to reduce the Bond by \$22,176.00 and set the new bond at \$73,892.00

**Second: J.Forti**

**Carries** 4-Yes, 1-Absent

Bond Reduction Deer Ridge Estates, Skyline Drive Phase III

**Motion: S.Nocco** to reduce the Bond by \$14,250.00 and set the new bond at \$41,322.00

**Second: J.Forti**

**Carries** 4-Yes, 1-Absent

Bond Reduction Deer Ridge Estates, Alpine Way Phase III

**Motion: S.Nocco** to reduce the Bond by \$15,450.00 and set the new bond at \$37,398.00

**Second: J.Forti**

**Carries**

**8:35PM White Tail Estates Subdivision – Althea Avenue – presented by Holmberg & Howe**

The applicant respectfully requested that the hearing scheduled for Thursday, April 20, 2006 be continued until the next available hearing date.

**Motion: S.Nocco** to continue the Hearing to May 18, 2006 @ 7:35PM

**Second: J. Forti**

**Carries** 4-Yes, 1-Absent

**9:05PM Tyngs Crossing Subdivision – 28 Farwell Road – presented by Land Tech.**

The Board reviewed the following open items with the applicant and received the following responses from the applicants Engineer.

1. The ANR Plan submitted should show the remaining frontage on Lot D in accordance with Zoning 4.2.1.7. ***A revised ANR plan will show the frontage of Lot D.***
2. Farwell Road should be labeled as public or private on the ANR plan per Zoning 4.2.1.10. ***The plans will be revised.***
3. The wetlands and associated buffer zones at the existing culvert in Farwell Ave should be shown on the plans. It is likely that the connection to the existing drainage system will require Conservation Commission approval. ***A copy of the plans has been forwarded to the Conservation Commission for comments.***
4. The front left corner of Lot 3 does not appear to comply with Zoning 2.12.30. ***Amending that lot line.***
5. Section 7.16 of the Subdivision Regulations (page 24) allows the Board to review the removal of stonewalls and large tree associated with the construction of the Subdivision. The applicant is proposing significant disturbance of the landscape adjacent to Farwell Road to obtain the required site distance at the entrance to the road. ***Several notes are a part of the plan set to help reduce the impacts to the landscape adjacent to Farwell Road. During construction and prior to the removal of any of the trees along the site distance line, that the site distance be verified to help minimize the number of trees that may need to be removed.***
6. The drainage calculations indicate that the pond will hold greater than three feet of water in both the 25 and 100-year storm (Subdivision 7.24.13). ***The detention basin design has been revised so that the pond will hold less than 3 feet of water in the 25-year storm event. Although the pond exceeds 3-feet during the 100-year storm event for a period of 1.4 hours. Landtech feels that they meet the intent of the regulation (Subdivision 7.24.13) because they exceed 3-feet of water for such a small interval of time and are at less than three feet for all other storm events.***
7. The proposed drainage system within Farwell Ave will cross the driveway of the abutter to the north. No detail as to how this construction will take place or how the driveway will be repaired has been provided. The Board may want to consider this work along with the work within the right of way as part of any

- bond for the subdivision. ***Additional information will be provided for the construction sequence of the pavement crossing.***
8. The applicant indicated at the last meeting that the existing catchbasin to the north of the site was to be replaced. This information is not indicated on the plan. ***The drainage design will be revised and the existing drainage system is not a part of the design.***
  9. The spot grade (elev.=173.9) at the end of the cul de sac appears to be incorrect. ***This was a typo, the revised plans will correct spot grade elevation.***
  10. The detail sheets show stormceptors. Where they are being installed is not shown on the site plans. ***Additional notes will be added to the plan set to clarify the location of the Stormceptor manhole.***
  11. The applicant should provide a complete drainage report for the file. The current report does not include up to date drainage maps, calculation for the two infiltration trenches, a TSS removal Worksheet, and data for the 2 and 10-year storms as required by the Stormwater Management Policy. I reserve the right to make additional comments on the drainage upon receipt of the complete package. ***The drainage report will be revised to include all of this information.***
  12. Subcatchments 8 and 11 do not account for the impervious area of the proposed houses now that the roof drywells have been removed from the calculations. ***The subhatchment areas will be revised.***
  13. Ponding Area 2P is still accounted for in the post development calculation even though this entire area appears to be taken up by the new detention basin. ***The ponding area adjacent to the abutter's driveway exists both in the pre-development condition and the post-development condition. In the post-development condition the area is much smaller.***

**Motion: S.Nocco** to adjourn at 10:00PM

**Second: C.DeCarteret**

**Carries 4-Yes, 1-Absent**

Minutes Taken and respectfully submitted by  
Joyce M.Harrington – Planning Board Clerk